

Analysis

Item 4: Department of Education

K-12 Federal Funds Expenditure Limitation Increase

Analyst: Doug Wilson

Request: Increase the Federal Funds expenditure limitation for the Oregon Department of Education by \$324,887,525 and establish four limited duration positions (0.84 FTE) for grants to school districts and for staff to meet the education needs of responding to the COVID-19 pandemic.

Analysis: The Oregon Department of Education (ODE) is requesting an increase of its Federal Funds expenditure limitation for two purposes: (1) an increase of \$324.4 million for payments to school districts and other education entities for distribution of a portion of the COVID-19 funding authorized in the recently passed Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA); (2) an increase of \$374,758 for the costs of four limited duration positions to establish an ODE response team and other costs related to administering these federal funds.

The CRRSA includes almost \$82 billion for COVID -19 education related costs with an estimated \$774 million designated for Oregon, as follows: (1) \$499.2 million distributed for K-12 districts through the Elementary and Secondary School Emergency Relief Fund (ESSER); (2) \$232.8 million for direct distribution to Oregon public and private post-secondary institutions; and (3) \$42.0 million for the Governors' Emergency Education Relief Fund (GEER) of which \$27.6 million is designated for K-12 private schools. This request deals with the ESSER Fund of which 90% must be for grants made to school districts through a federally designated formula, 9.5% is for K-12 discretionary grants, and up to 0.5% for state administration. These funds and the \$121.9 million in ESSER funding provided to the state last Spring through the CARES Act must be spent for eligible costs from March 2020 through September 2022. The ESSER funding must meet the eligible uses under the CARES Act (which are quite broad) and are further expanded under CRRSA to include: (1) school repairs and improvements to reduce transmission of the virus and for student health needs; (2) maintenance, upgrade, or replacement of HVAC systems; and (3) address the learning needs of students that are academically falling behind due to the pandemic, especially low income, ELL, and minority students.

Distribution to Districts

ODE has identified three major cost drivers in responding to the pandemic for schools. First is the costs to reopen schools including maintaining/improving facilities to safely transfer to in-classroom instruction. These costs may include purchasing supplies to sanitize and clean facilities, train staff on sanitation and to prevent/minimize the transmission of the virus, and to develop and implement procedures to prevent, prepare for, and respond to the coronavirus. Based on national level analysis, it will cost an additional \$1.8 million annually to reopen and maintain an average school district, or \$486 per student. Based on this analysis, an estimated \$281 million is needed by school districts.

The second cost driver are the costs of comprehensive distance learning (CDL) including access and connectivity to the internet, additional hardware devices, CDL specific curriculum, and educator professional development for CDL. It is anticipated that the need for CDL will continue as schools reopen. Based on a survey of Oregon districts, ODE estimates that \$114 million is required to address these CDL needs, and they believe this estimate may be on the low end of the range.

The third major cost driver is to address student learning losses and emotional/mental health support. ODE estimates that on average, almost 15% of ninth graders were not on-track to graduate for the 2019-20 school year; and data for the current 2020-21 school year suggests a higher rate. In some districts up to 50% of high school students are currently failing at least one course. To respond to this, additional learning supports will be required including summer school, supplemental after-school programs, and other educational supports. ODE estimates that based on three months of additional education support, another \$140 million is required.

An overall rough estimate is that districts will require an additional \$536 million for the 2020-21 school year and another \$178 million for the 2021-22 school year. Oregon will receive a total of \$636 million in funds from CCRSA and the CARES Act leaving a gap of roughly \$80 million. It is difficult to estimate the expenditure limitation need for the current biennium as the school year continues into the next biennium. Another complicating factor is this assistance is based on districts submitting costs for reimbursement. Given the \$113.5 million in limitation approved during the August 2020 special session, ODE estimates \$324.4 million of additional Federal Funds expenditure limitation is needed for the current biennium. It is likely that further adjustments to this will be made during the 2021 session.

ODE Staffing

The other major component of this request is for four limited duration positions (0.84 FTE) to establish a coronavirus response team consisting of a PEM G, Executive Support Specialist 2, Operations and Policy Analyst 4, and an Education Specialist 2. These positions would absorb and expand the workload of the existing staff that have been pulled off their “every day” workload to assist school districts, educators, parents, students, and ODE staff respond to the pandemic. For the past nine months, existing employees have had to forgo their usual activities to meet the demand for pandemic related responsibilities. Their ongoing workload and responsibilities still exist. This response team would work closely with the Oregon Health Authority to:

- develop, update, and implement guidance and protocols for districts for reopening and operating schools during the pandemic;
- coordinate the ongoing communications with stakeholders;
- support the ongoing development and improvement of the comprehensive distance learning model;
- provide oversight and accountability to ensure that schools are following guidance and protocols;
- coordinate and support the work across the agency related to the pandemic; and
- establish a transition plan for the agency and schools to meet continued needs resulting from the pandemic.

The cost of these positions and related costs for the remainder of the biennium is \$374,758 Federal Funds and would be funded from the 0.5% administrative portion of the recently passed ESSER funding. In addition, the agency is requesting another \$66,340 Federal Funds expenditure limitation from the same source for administering the additional ESSER funds in the state. Funding would be from the same source and would use existing staff and temporary resources.

Legislative Fiscal Office Recommendation: The Legislative Fiscal Office recommends that the Emergency Board increase the Federal Funds expenditure limitation for the Oregon Department of Education by \$324,887,525 and authorize the establishment of four limited duration positions (0.84 FTE) for grants to school districts and for staff to meet the education needs of responding to the COVID-19 pandemic.

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Oregon Department of Education
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Request: Increase Federal Funds expenditure limitation by \$324.9 million to expend additional Elementary and Secondary School Emergency Relief Fund monies provided through the Consolidated Appropriations Act, 2021, and establish four limited duration positions.

Recommendation: Approve the request.

Discussion: The Consolidated Appropriations Act, 2021, was the fifth and final federal COVID-19 relief bill enacted in 2020. This latest federal bill, signed by the President at the end of December, includes \$82 billion for education. The education funds are distributed to states via formula through the Education Stabilization Fund, which was created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act in March 2020. Oregon's share is estimated to be \$774 million with \$499.2 million earmarked specifically for K-12 education. The K-12 education portion of the federal funding is distributed through the Elementary and Secondary School Emergency Relief (ESSER) Fund. The Oregon Department of Education (ODE) is the administrator of the State's ESSER fund dollars received from the U.S. Department of Education.

In 2020, ODE received and distributed \$121.9 million in ESSER fund resources to Oregon's 197 school districts and other educational entities. The majority of these resources (90 percent) were required to be distributed to districts through the Elementary and Secondary Education Act (ESEA) Title I-A formula grant. The funding was also distributed through set aside discretionary grants (9.5 percent) and a small portion was reserved for administration costs (0.5 percent). The set aside grants were designed to target entities not eligible for formula distributions under Title I including Education Service Districts, State and county juvenile correctional education programs, Long Term Care Treatment Programs, and others. In addition, the Department devised a grant program with the remaining set aside funds, targeting Comprehensive Distance Learning (CDL), an area deemed in need of funding support based on feedback from districts.

The Department recently received a preview of the data that will be required to include in the first annual report on the expenditure on ESSER funds. ODE is in the process of gathering information from school districts, but it remains unknown how and to what extent districts are spending the additional resources. More information on the uses of these funds in Oregon is expected to be known once the data is collected and reported to the U.S. Department of Education. The most recent data collected from ODE shows that recipients have claimed \$20.9 million or slightly over 17 percent of the original ESSER expenses, though actual expenditures incurred may be higher.

The \$499.2 million in new ESSER funds will be distributed in a similar manner as the previous round of funds provided through the CARES Act with 90 percent distributed through a Title I formula grant. The Department has indicated the set aside funding will again target entities not eligible for Title I funding and will likely involve outreach to devise another grant program targeting an area in need of funding support, similar to the creation of the CDL grant program.

The new ESSER funds have the same eligible uses outlined in the CARES Act, including a deadline of September 30, 2022, along with three additional uses including:

- School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs;
- Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement; and
- Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by (A) Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction. (B) Implementing evidence-based activities to meet the comprehensive needs of students. (C) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment. (D) Tracking student attendance and improving student engagement in distance education.

At this time, ODE is not requesting the full amount of ESSER funds expected under the Consolidated Appropriation Act. The Department estimates that \$324.4 million in Federal Funds limitation is needed for 2019-21 to support schools in the areas anticipated to be major cost drivers, including costs associated with reopening, distance learning, and student learning and emotional support. The Department has estimated spending needs in these areas for Oregon, but the true needs in these areas remain largely unknown. More information on how schools are using the previously distributed ESSER funds will be helpful to understanding the role of these additional resources and if these are in fact the major cost drivers being funded with the additional federal resources. The U.S. Department of Education is encouraging districts to consider using as much funding as possible to mitigate loss of learning, but this is not required.

ODE is also requesting \$441,098 Federal Funds limitation for department operations support to provide additional capacity for COVID-19 response. Of the Operations funding component, ODE is estimating \$374,758 for staffing. The Operations request includes funding for grant administration and reporting, as well as the establishment of four limited duration positions (0.84 FTE) for a COVID operations team that serves as a single point of coordination and leadership for the Department's COVID response efforts. The COVID Operations Team would consist of a Principal Executive (PEM G) position, Operations and Policy Analyst 4, Education Programs Specialist 2 and Executive Support Specialist 2. The Department's workload related to the pandemic has been significant since last March. The added demands have been addressed through triage and having the work spread across the senior management team. Some of this strategy will remain, but the Department has determined there is a need for a single point of contact for speed and efficiency in decision-making, as well as capacity for other mission critical responsibilities. The funding for staffing would allow ODE to hire new staff or allow existing staff to step into new roles starting in February, with available funding for temporary backfill

support. It is expected that this work will continue into 2021-23 and the position funding for next biennium will need to be addressed in the 2021 Legislative Session.

Legal Reference: Increase Federal Funds expenditure limitation established by Chapter 609, section 8(1), Oregon Laws 2019, for the Oregon Department of Education by \$441,098 for the 2019-21 biennium. Increase Federal Funds expenditure limitation established by Chapter 609, section 9(3), Oregon Laws 2019, for the Oregon Department of Education by \$324,446,427 for the 2019-21 biennium.



Oregon

Kate Brown, Governor



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Colt Gill

Director of the Oregon Department of Education

January 4, 2021

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Tina Kotek, Co-Chair
State Emergency Board
900 Court Street NE
Salem OR 97301-4048

Dear Co-Chairpersons:

Nature of the Emergency

The Oregon Department of Education (ODE) respectfully requests an increase of \$324,887,525 in Federal Funds limitation and the establishment of four limited-duration positions (0.84 FTE) for additional resources awarded through the U.S. Department of Education (USDOE) for the Elementary and Secondary School Emergency Relief Fund to assist Oregon's K-12 public schools in addressing emergency needs in responding to COVID-19.

Agency Action

On December 21, 2020, Congressional leaders approved the Consolidated Appropriations Act, 2021, which was approved into law by President Trump on December 27, 2020. In addition to finalizing federal funding budgets for Fiscal Year 2021, the Act also included a COVID-19 relief package, which includes \$81.9 billion to Governors, State and local educational agencies, and institutions of higher education to address COVID-19 related expenses and costs. \$80.1 billion of this funding is allocated through the Education Stabilization Fund (ESF) established by the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020.

Of the \$80.1 billion dedicated to the ESF, \$21.7 billion is to be provided to support institutions of higher education through the Higher Education Emergency Relief (HEER) Fund, \$54.3 billion to State and local educational agencies through the Emergency and Secondary School Emergency Relief (ESSER) Fund; and \$4.1 billion for the Governors' Emergency Education Relief (GEER) Fund to be directed by Governors to institutions of higher education, local education agencies and/or other education providers that have been significantly impacted by COVID-19. Of the \$4.1 billion dedicated to GEER, \$2.75 billion is reserved for assistance to non-public schools.

While final allocations for each fund have yet to be released by the U.S. Department of Education (USDOE), the preliminary estimates for Oregon is \$774.0 million, which is scheduled to be allocated as follows:

- Governors' Emergency Education Relief (GEER) Fund - \$42.0 million (\$27.6 million for non-public schools)
- Elementary and Secondary School Emergency Relief (ESSER) Fund - \$499.2 million
- Higher Education Emergency Relief (HEER) Fund - \$232.8 million

As Oregon's State Education Agency (SEA), ODE is the required administrator of the ESSER Fund. Under the CARES Act, ODE was awarded \$121.9 million in ESSER in May 2020. This funding along with additional resources from GEER and the Coronavirus Relief Fund (CRF) resulted in ODE allocating \$139.4 million of emergency relief for Oregon's 197 school districts. Under the CARES Act, schools may use this funding for the period beginning March 2020 through September 2022. These resources have been used to effectively address unanticipated costs in the 2019-20 school year, as well as anticipated support for the 2020-21 and 2021-22 school years.

The \$499.2 million increase to ESSER mostly follows the requirement established in the CARES Act. The funds may be used in three allowable focus areas: Formula Grant to School Districts (90%); State Set Asides for K-12 Discretionary Grants and Contracts (9.5%); and State Administration (0.5%). In addition to the twelve eligible uses outlined in the CARES Act, the new Act add three additional uses that include:

- School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.
- Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.
- Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by (A) Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction. (B) Implementing evidence-based activities to meet the comprehensive needs of students. (C) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment. (D) Tracking student attendance and improving student engagement in distance education.

These resources arrive at a time when Oregon's teachers, parents, and students face their greatest challenges. These challenges began in March 2020 when schools across the state closed and transitioned to a distance learning environment for the remainder of the year. This transition brought many changes as teachers grappled with how to continue to instruct and communicate with students, provide students with activities to help them practice what they were learning, and in some cases try to assess what students may have learned at home. As schools moved into the 2020-21 school year, these challenges continued as onsite

education remained unsafe for many states. For schools that were able to provide on-site education, additional challenges were created in modifying their facilities in order to create a safe learning environment.

To effectively meet this need, Oregon schools have made a great deal of changes to their teaching methods, as well as incur unanticipated costs to ensure student and staffing have the necessary devices, connectivity, systems, and training to effectively implement and sustain comprehensive distance learning (CDL). While schools have done an incredible job in administering CDL, it has become clear that the benefits and effectiveness of on-site learning is having a significant negative impact on student learning. Many school districts across the state are reporting an increase in the number of students that are falling behind. This is most clearly seen with high school students where in some districts up to 50% are currently failing at least one course. While this varies from district to district, when compared to ninth grade on track data that showed 14.9% of students are not on track for the school year ending 2020, it is clear that in-person learning is desperately needed.

Moving into 2021, the Governor has made a commitment to work together with schools toward the resumption of in-person instruction. As stated in her December 23, 2020 letter to ODE Director, Colt Gill, and Oregon Health Authority Director, Pat Allen, “the long-term benefits of both heading off an emerging mental health crisis for our children and youth, and addressing the academic challenges that are becoming prevalent for far too many students in the absence of in-person learning, now far outweigh the short-term risk.” The Governor has established a goal of transitioning to in-person instruction by February 15, 2021, especially for elementary school.

In order to accomplish this goal, the Governor remains clear that the state must ensure that the decision to transition to in-person instruction continue to be grounded in sound science, public health and safety. In order to allow for the safe return of Oregon’s students, it will require continuing the use of CDL when and where necessary, while at the same time helping schools implement and maintain safety protocols in their facilities for in-person instruction. It will also require a focused effort on providing additional supports to students that have been negatively impacted by both the loss of learning and emotional trauma. In evaluating these requirements, the three largest cost drivers identified by ODE are as follows:

- Capacity to Reopen Schools - These include unanticipated costs incurred by schools in preparing and maintaining facilities and processes in a way that ensures safety for its students. This includes, but is not limited to:
 - Coordination of preparedness and response efforts of schools with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus;
 - Developing and implementing procedures and systems to improve the preparedness and response efforts of school districts;
 - Training and professional development for school staff on sanitation and minimizing the spread of infectious diseases; and
 - Purchasing supplies to sanitize and clean school facilities.

Based on analysis sponsored by the Association of School Business Officials (ASBO) International and the American Association of School Superintendents, to effectively reopen and maintain an average school district with 3,659 students, 8 school buildings, 183 classrooms, 329 staff members, and 40 school buses, it would cost an additional \$1,778,139 per year. This would include cost related to adhering to health monitoring and clearing protocols; hiring staff to implement health and safety protocols, providing personal protective equipment, and providing transportation and child care. This essentially works out to \$485.96 per student which is very close to alignment with recent cost studies. By applying this to 579,000 estimated Oregon K-12 students for 2020-21, this would suggest a statewide cost of \$281.4 million to address the Capacity to Reopen Schools.

- Comprehensive Distance Learning (CDL) – These include unanticipated costs incurred for current and ongoing comprehensive distance learning. Regardless if students move back to in-person learning, the need for CDL will continue. Schools must still be able to cover the cost of educational technology (including hardware, software, and connectivity) for students that require aid in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

ODE conducted an information technology survey with schools districts early in the pandemic, as well as developed some general estimates for learning management systems, digital curriculum, and professional development. The results of the survey and estimates demonstrated there was an overall need of \$114.4 million for CDL. The estimated school year needs were as follows:

- Access and Connectivity - \$47.0 million
- Student and Teacher Devices - \$30.4 million
- Digital Content/Curriculum - \$15.0 million
- Learning Management Systems - \$6.0 million
- Professional Development for Educators - \$16.0 million

Since the original survey was based on a partial school year, the Department's estimate is likely on the low end since many schools will now recognize increased needs as they enter into longer timeframes and have unanticipated costs (i.e. non-compatible devices, insufficient connectivity, and non-effective curriculum).

- Student Learning and Emotional Health Support – These include unanticipated costs incurred by schools to effectively address student learning loss, as well as mental health support for students that have been emotionally and/or socially impacted throughout the pandemic. In order to effectively support students, it will require planning and implementing activities related to summer learning and supplemental after school programs, including providing classroom instruction or online learning during the summer months. This will be even more important in addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

Estimating the cost of addressing loss of student learning and mental health supports is a little more challenging. However, we do know that based on ODE's Key Performance Measures related to students on track to graduate, there were 14.4% of all high school students not on track to graduate based on 2019-20 data. As mentioned above, some of the early data received from school districts and education service districts for the current school year, suggest a range from 21.2% to 50.0% of high school students that are either failing or have an incomplete for at least one class. Should this trend continue, it could suggest that an additional 6.8% to 35.6% of high school students may not be on track to graduate at the end of the 2020-21 school year. Applying this range to an estimated 180,985 high school students, this could put an additional 12,307 to 64,431 students at risk of not having sufficient credits to graduate. Assuming these students would need an additional three months of learning, the cost variable would be an estimated \$3,655 per student, which represents one third of the nine month cost of a per student cost based on the most recent State School Fund calculation. By applying this variable, it would return a cost estimate of \$44.9 million to \$235.5 million. For the purposes of providing a cost estimate for Student Learning and Emotional Health Support, ODE estimates the average of \$140.2 million for additional student learning and emotional health support.

Using the analysis of these three cost drivers, ODE estimates an unanticipated cost of approximately \$536 million for school year 2020-21. While there are many unknowns on what the impacts of COVID-19 will be on school year 2021-22, it is safe to assume there will be some level of unanticipated costs, particularly early in the school year. For the purposes of estimating the impacts for this 2021-22 school year, the Department is using a prorate of 33.3% of the 2020-21 cost to represent the first three months out of the nine month academic year. This equals \$178.5 million for the 2021-22 school year bringing the total estimate of unanticipated cost to \$714.5 million through 12/31/21.

ODE anticipates that with the additional \$496.7 million allocated by the new stimulus funding (\$499.2 million total allocation, less \$2.5 million in allowable administration) along with the existing \$139.4 million dedicated from the CARES Act, funding will be utilized to address the following estimated cost:

COST DRIVERS (in millions)	SY 2020-21	SY 2021-22	Total
Capacity to Reopen Schools	\$281.4	\$93.7	\$375.1
Comprehensive Distance Learning	\$114.4	\$38.1	\$152.5
Student Learning and Emotional Health Support	\$140.2	\$46.7	\$186.9
TOTAL ESTIMATED COST	\$536.0	\$178.5	\$714.5

Since the total estimated cost of \$714.5 million is in excess of the \$636.1 million of federal relief, it will require schools to identify other resources to cover these estimated expenses. In addition, since the expenditure timing of the Federal Funds will occur between two biennia, it's difficult to predict the needed limitation for the 2019-21 biennium. For the purposes of estimating, ODE is assuming expenditures for 100% of the estimated school year 2020-21 cost for Capacity to Reopen Schools and Comprehensive Distance Learning, and 30% of the estimated cost for Student Learning and Emotional Health Support. It is assumed that much of the cost for Student Learning and Emotional Health Support may occur in the summer months of July and August 2021 which falls into the 2021-23 biennium. Based on this, the total 2019-21 estimated cost is \$437.9

million. When applying this against the \$113,453,573 federal limitation approved by the Legislature in August 2020, ODE is requesting an additional \$324,446,427 in Grant-In-Aid federal funds limitation for 2019-21. The Department will provide an estimate of ESSER expenditures for 2021-23 biennium through its budget presentation to the 2021 Legislature.

In addition to the increased ESSER funds for Grant-In-Aid, ODE requires additional operations support in order to effectively administer this large funding increase and be responsive to the needs of our partners. As Oregon continues to deal with the impacts of COVID-19, many state agencies are quickly learning to adjust and change their current operating practices and deploy its resources differently in order to support the critical programs and services they deliver. For ODE, the impacts of COVID-19 has translated into many new demands and challenges in developing standards and protocols for supporting Oregon's schools in successfully meeting the ongoing educational needs of students.

ODE began actively responding to COVID-19 in March 2020 and has been working beyond organizational capacity without pause over the last nine months. The Department has also created and responded to five Executive Orders, written multiple complex guidance documents, launched new technical assistance projects, administered Federal CARES Act funding, and partnered closely with the Oregon Health Authority to make hundreds of policy decisions. At the same time, the Department has continued to meet its ongoing statutory responsibilities and operational deadlines, which has included the development and submission of the next biennial budget and the implementation of the Student Success Act.

As ODE continues to work through the ever changing demands of responding to COVID-19, the level of responsibility, expertise, media interest, public demand, and technical skill is not expected to decline throughout the next year. The Department's senior leaders have recently completed an inventory of the roles and responsibilities for the next 6 to 18 months.

In developing solutions to this workload, the Department has determined that one way to maintain and continue to improve our response to COVID-19 and still attend to important organizational needs is to cultivate a small operational team that can become a singular point to coordinate and lead our COVID-19 response. Up to this point, ODE has accomplished this work by triage and having work spread across the senior management team. This has brought important expertise together and should continue. However, we've also asked that this work happen at a full pace with no relief of other mission critical responsibilities.

ODE will, if approved, use the requested resources to establish an operations team to support the speed, technical mastery, and focus to aid the agency as a whole. The team will also help to streamline decision making at a critical moment. This new operations team would include four positions (0.84 FTE) of a Principal Executive (PEM G), an Operations Policy and Analyst 4, Education Programs Specialist 2, and Executive Support Specialist 2. These positions would work together, as well as across other agency offices and in close partnership with the Oregon Health Authority (OHA). Ultimately, this team can buoy Oregon's efforts at this very critical time.

The primary responsibilities and roles of the operations teams would include the following:

- Coordinating the ongoing communication responsibilities related to COVID-19 with education stakeholders, school districts, other state agencies, legislative members, parents, students, and other impacted citizens. The amount of communication work that has increased over the last seven months has created a significant challenge for not only ODE's existing and small communication staff, but other professional staff that have been redirected from their current duties to provide effective response times.
- Developing, updating, and implementing guidance and protocols for school districts to follow in effectively reopening their schools in a safe and responsible manner. This requires a great deal of coordination with the OHA to ensure that public health standards are being built into guidance to schools.
- Supporting the ongoing development and improvement of the agency's comprehensive distance learning model to ensure that schools that must continue in a form of hybrid or remote learning have the tools and resources needed to provide effective student learning.
- Administering various accountability measures to ensure schools are appropriately adhering to guidance and protocols issued by ODE and OHA. As the metrics for each county changes depending on numbers of cases and rates of infection, it will be critical that ODE monitors all schools to ensure they are operating within the required education model.
- Providing support to other offices and staff that have been reassigned for alternative tasks that require their expertise. This will help ensure that the agency is responsive to urgent matters related to the COVID 19 response, but at the same time make sure that other agency responsibilities and/or requirements aren't jeopardized.
- Creating a transition plan that will enable ODE to effectively integrate any ongoing responsibilities of the team into existing offices and staff. It is still unclear what schools will look like moving forward, and the Department will need to be prepared to change or adjust its organizational capacity in order to meet the needs.

While these four positions are requested as limited-duration until June 30, 2021, ODE anticipates this support being necessary until June 30, 2022. If approved, the Department will request an adjustment during the 2021 Legislative Session to ensure these positions are maintained for at least the first twelve months of the next biennium.

To support these four positions, ODE is requesting \$374,758 in Federal Funds limitation to support the team through June 30, 2021. In addition, the Department requires an additional \$66,340 to support the estimated cost of administering the ESSER grant which includes the management, grant administration, reporting, procurement, and accounting cost. This workload will be met through existing staff and temporary backfill

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Tina Kotek, Co-Chair
January 4, 2021
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of ongoing workload. Based on this, ODE is requesting a total of \$441,098 for 2019-21 in Federal Funds limitation for Agency Operations.

Action Requested

Approve an increase of \$324,887,525 in Federal Funds limitation and the establishment of four limited-duration positions (0.84) for additional resources awarded through the U.S. Department of Education (USDOE) for the Elementary and Secondary School Emergency Relief Fund to assist Oregon's K-12 public schools in addressing emergency needs in responding to COVID-19.

Legislation Affected

Chapter 609, Section 8 (1) \$441,098
Chapter 609, Section 2 (4) \$324,446,427

Thank you for considering approval of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colt Gill", with a stylized flourish at the end.

Colt Gill
Agency Director